

Docket: 14177

1632/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Joseph Altin

Appln. No.: 10/031,859

Filed: October 26, 2001

Title: MODEL MEMBRANE SYSTEMS

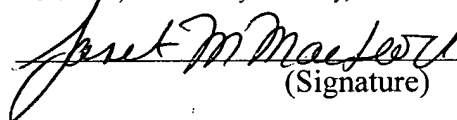
Examiner: Wehbe, Anne Marie Sabrina

Group Art Unit 1632

**RESPONSE TO REQUIREMENT
FOR RESTRICTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class U. S. mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 5th day of January, 2005.


(Signature)

Sir:

This paper is in response to the official communication mailed October 5, 2004 for the above-identified application. Applicants request a two-month extension of time for responding to the communication, and enclose a check in the amount of \$225 in payment of the fee under 37 CFR § 1.17(a)(2).

The Examiner has alleged that Claims 1-39 are directed to more than one species of "membranes," and that the species are not so linked as to form a single general inventive concept. Applicants elect, with traverse, the species of "biological membranes that are not intact cells or liposomes." Applicants traverse the requirement in that the species of membranes each have the special technical features of "membranes," and the search for the species would not create an undue burden.

The Examiner has further alleged that Claims 1-39 are directed to more than one species of molecules, and that the species are not so linked as to form a single general inventive concept. Applicants elect, with traverse, the species of VEGF. Applicants traverse the requirement in that the species of molecules have the special technical features of interacting with the metal chelating group of the amphiphilic molecule in the "membranes" of the invention, and the search for the species would not create an undue burden.

It has been further alleged that Claims 1-39 are directed to more than one species of membrane encapsulated active materials/agents/drugs, and that the species are not so linked as to form a single inventive concept. Applicants elect, with traverse, the species of cytotoxic drugs. Applicants traverse the requirement in that the species of materials/agents/drugs have the special technical feature of being encapsulated within the "membrane," and the search for the species would not create an undue burden.

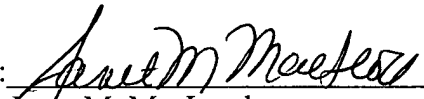
The claims readable on the elected species are 1-21, 23-35, 37 and 39.

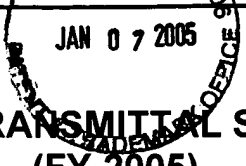
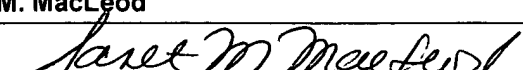
Withdrawal of the requirement for the election of species is respectfully requested.

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: January 5, 2005

By: 
Janet M. MacLeod
Registration No. 35,263
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250 Park Avenue
New York, NY 10177
(212) 415-9366

Effective on 12/08/04 <div style="text-align: center;">  FEE TRANSMITTAL SHEET (FY 2005) </div>		Complete if Known																																																																																																																																							
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<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Deposit Account No.: 50-2054 Deposit Account Name: DORSEY & WHITNEY LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17 <input type="checkbox"/> Credit any overpayments <input type="checkbox"/> Other (please identify):		3. ADDITIONAL FEES																																																																																																																																							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="5" style="text-align: center;">Extra Claim Fees</th> </tr> <tr> <th style="text-align: left;">Current Claims</th> <th style="text-align: left;">Prior</th> <th style="text-align: left;">Extra</th> <th style="text-align: left;">Fee</th> <th style="text-align: left;">Fee Paid</th> </tr> <tr> <td>Total</td> <td>- 20</td> <td>=</td> <td>x \$</td> <td>= \$</td> </tr> <tr> <td>Ind.</td> <td>- 3</td> <td>=</td> <td>x \$</td> <td>= \$</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims</td> <td>x \$</td> <td>= \$</td> </tr> <tr> <td colspan="3" style="text-align: right;">Subtotal (Extra Claims)</td> <td></td> <td>\$</td> </tr> </table>		Extra Claim Fees					Current Claims	Prior	Extra	Fee	Fee Paid	Total	- 20	=	x \$	= \$	Ind.	- 3	=	x \$	= \$	Multiple Dependent Claims			x \$	= \$	Subtotal (Extra Claims)				\$	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">Large Entity Fee</th> <th style="text-align: center;">Small Entity Fee</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee paid</th> </tr> <tr><td style="text-align: center;">50</td><td style="text-align: center;">25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td style="text-align: center;">130</td><td style="text-align: center;">65</td><td>Surcharge - Late nonprovisional filing fee or oath</td><td></td></tr> <tr><td style="text-align: center;">180</td><td style="text-align: center;">180</td><td>Submission of IDS</td><td></td></tr> <tr><td style="text-align: center;">40</td><td style="text-align: center;">40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td style="text-align: center;">120</td><td style="text-align: center;">60</td><td>Extension for reply within first month</td><td></td></tr> <tr><td style="text-align: center;">450</td><td style="text-align: center;">225</td><td>Extension for reply within second month</td><td style="text-align: right;">225</td></tr> <tr><td style="text-align: center;">1,020</td><td style="text-align: center;">510</td><td>Extension for reply within third month</td><td></td></tr> <tr><td style="text-align: center;">1,590</td><td style="text-align: center;">795</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td style="text-align: center;">2,160</td><td style="text-align: center;">1,080</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td style="text-align: center;">790</td><td style="text-align: center;">395</td><td>Submission After Final 1.129</td><td></td></tr> <tr><td style="text-align: center;">500</td><td style="text-align: center;">250</td><td>Notice of Appeal</td><td></td></tr> <tr><td style="text-align: center;">500</td><td style="text-align: center;">250</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td style="text-align: center;">1,000</td><td style="text-align: center;">500</td><td>Request for oral hearing</td><td></td></tr> <tr><td style="text-align: center;">130</td><td style="text-align: center;">65</td><td>Terminal Disclaimer Fee</td><td></td></tr> <tr><td style="text-align: center;">800</td><td style="text-align: center;">400</td><td>Design Issue Fee</td><td></td></tr> <tr><td style="text-align: center;">790</td><td style="text-align: center;">395</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td style="text-align: center;">130</td><td></td><td>Request for voluntary publication or republication</td><td></td></tr> <tr><td style="text-align: center;">500</td><td style="text-align: center;">250</td><td>Petition to Revive - 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Petition Fee Under 37 CFR 1.17(f), (g), & (h) Enclosed is a Petition filed under 37 CFR as indicated below: <input type="checkbox"/> Petition Fee under 37 CFR 1.17(f) Fee \$400 § 1.53(e) to accord a filing date. § 1.57(a) to accord a filing date. § 1.182 for decision on a question not provided for. § 1.183 to suspend the rules. § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent. § 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term. <input type="checkbox"/> Petition Fee under 37 CFR 1.17(g) Fee \$200 § 1.12 for access to an assignment record. § 1.14 for access to an application. § 1.47 for filing by other than all inventors or person not the inventor. § 1.59 for expungement of information. § 1.103(a) to suspend action in an application. § 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail. § 1.295 for review of refusal to publish a statutory invention registration. § 1.296 to withdraw a req. for pub. after notice of intent to publish issued. § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent. § 1.550(c) for request for ext. of time in <i>ex parte</i> reexam. proceedings. § 1.956 for request for ext. of time in <i>ex parte</i> reexam. proceedings. § 5.12 for expedited handling of foreign filing license. § 5.15 for changing the scope of a license. § 1.525 for retroactive license. <input type="checkbox"/> Petition Fee under 37 CFR 1.17(h) Fee \$130 § 1.19(g) to request documents in a form other than provided in this part. § 1.84 for accepting color drawings or photographs. § 1.91 for entry of a model or exhibit. § 1.102(d) to make an application special. § 1.138(c) to expressly abandon an application to avoid publication. § 1.313 to withdraw an application from issue. § 1.314 to defer issuance of a patent.																																																																																																																																									
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